

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554POLICY & PLANNING  
BRANCH ROOM 5202ORIGINAL  
FILE

10 FEB 1993

IN REPLY REFER TO:

7330-7/1700A3

RECEIVED

FEB 12 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARYHonorable George J. Mitchell  
United States Senate  
Washington, D.C. 20510

Dear Senator Mitchell:

This is in reply to your letter of January 14, 1993, in which you inquired on behalf of several of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

We are, of course, sensitive to the concerns of users of private land mobile radio spectrum and the impact that these proposals may have on their radio systems, including the costs of required modifications.

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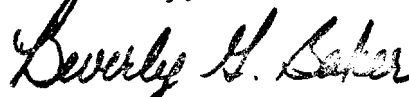
Honorable George J. Mitchell

2.

We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued near the end of 1993. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,



Ralph A. Haller  
Chief, Private Radio Bureau

Enclosure:  
Notice

cc:  
Chief, PRBureau  
Chief, LM&M Divison  
Deputy Chief, LM&M Division  
Lou Sizemore, Room 857  
Docket Files, Room 222  
Licensing Div., PRB, c/o Room 5202  
P&P Branch Files

CNTL NO - 9300294

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CONGRESS/9300294

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

DA 93-145

In the Matter of	)	
	)	
Replacement of Part 90 by Part 88 to	)	PR Docket No. 92-235
Revise the Private Land Mobile Radio	)	
Services and Modify the Policies	)	
Governing Them	)	

**ORDER EXTENDING COMMENT AND REPLY COMMENT PERIODS**

Adopted: February 8, 1993      Released: February 9, 1993

Comment Date: May 28, 1993

Reply Comment Date: July 14, 1993

By the Chief, Private Radio Bureau

1. On November 6, 1992, the Commission released a Notice of Proposed Rule Making, 7 FCC Rcd 8105 (1992), (Notice), in this proceeding. The specified deadlines for comments and reply comments were February 26, 1993 and April 14, 1993, respectively. On January 20, 1993, the Public Safety Communications Council (PSCC) filed a letter requesting that we extend the date for filing Comments and Reply Comments in this proceeding to August 25, 1993, and October 14, 1993, respectively. On February 3, 1993, the Land Mobile Communications Council (LMCC) filed a petition requesting that we extend the date for filing Comments to May 28, 1993. On February 4, 1993, PowerSpectrum, Inc. (PSI) filed a petition requesting that we extend the date for filing Comments and Reply Comments to May 26, 1993, and July 26, 1993, respectively.

2. PSCC based its request on the size of the Notice and on the need for additional time to conduct equipment tests and to review the U.S. Government planned migration to narrowband equipment. LMCC, an organization whose membership includes 20 trade associations, plans to develop an industry consensus position and to file it as comments by April 28, 1993. They would like the extension to give the public time to comment on this industry consensus. PSI requests the extra time to study the impact of the proposed channeling plans on the potential use of its frequency hopping multiple access technology (FHMA).

3. The proposals set forth in the Notice represent the most comprehensive review of the rules governing the private land mobile radio allocations below 512 MHz since their inception. The blueprint on how to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing their use is complex and deserves the fullest cooperation between users of this spectrum and the government to assure that the rules ultimately adopted will constructively serve the public interest. To assist in this process we have scheduled a conference for March 1, 1993 to discuss publicly the issues raised in the Notice. In order to

# Congressional

DUE: 2-9-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,  
AND REPLY FOR DOCKET FILE, ROOM 222.

## CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/01/93

### LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300294	02/01/93	01/28/93	02/12/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	George Mitchell	BC

CONSTITUENT'S NAME	SUBJECT
several	info/comments on a docket

REF TO	REF TO	REF TO	REF TO
PRB/hmm 2-2-93	OSP		
DATE	DATE	DATE	DATE
02/01/93			

REMARKS: Include letters in public docket.

RECEIVED  
Feb 2 2 52 PM '93  
PRIVATE

GEORGE J. MITCHELL  
MAINE

United States Senate  
WASHINGTON, DC 20510-1902

PRB  
docket  
294

January 28, 1993

Ralph Haller, Chief  
Private Radio Bureau  
Federal Communications Commission  
1919 M Street, NW  
Washington, DC 20554

RE: Private Radio Docket 92-235

Dear Mr. Haller:

Enclosed please find copies of five letters I have received from constituents in Maine concerned about the proposed revision of regulations on the private land mobile radio services.

I would appreciate it if you would include my constituent's letters in the public docket and respond appropriately to their comments.

Thank you for your attention to this matter. I look forward to your response.

With best wishes,

Sincerely,



George J. Mitchell

Enclosures

RECEIVED  
FEB 2 2 52 PM '93  
PRIVATE RADIO BUREAU  
FCC

The Honorable George Mitchell  
United States Senate  
Washington D.C. 20510

15-Jan-1993

Dear Senator George Mitchell,

HELP! Radio control hobbyists' go on the endangered species list

This could happen if FCC PR Docket 92-235 is passed on February 26, 1993. This regulation will render 31 of our current 50 frequencies for model aircraft operation unusable by allowing mobile communications to operate too closely to our frequencies.

Radio controls modeling is more than just a hobby to most of us. Many hours of relaxation and enjoyment are derived by building and flying our models. The Academy of Model Aeronautics, Sport Fliers Association, and local clubs are very active in local schools and youth organizations helping young people learn about aeronautics. Do your children own or enjoy the small inexpensive radio controlled cars and trucks that are sold in toy stores? They will also be affected by this regulation

I am a member of the Skystreakers R/C club of New Gloucester, ME . Our club field is less than 1/2 mile from the Maine turnpike and will be seriously affected by mobile communication signals on or near our frequencies. This could be a serious safety hazard. Operation of model aircraft at our field is done so with safety being the top priority. Can you imagine the damage that can occur if an aircraft weighing up to 40 lbs traveling at speeds up to 150 mph crashes into a person or property? We all carry insurance with coverage up to \$1,000,000 for this reason.

PR docket 92-235 will create a serious safety hazard at our field by bunching everyone into too few available frequencies. We need all of our current frequencies to insure safe operation of our models.

In 1991 we, the R/C community, were required to update or purchase new radio equipment due to the conversion to narrow band equipment in order to double our available frequencies to the current 50 WITHOUT expanding our frequency band.

Two years later we are going to lose 2/3 of them and render recently purchased radio equipment obsolete?? This sounds like another attempt to satisfy the big guys at the expense of the little guys.

I would suggest that the FCC and the mobile communication industry rethink their proposal in PR 92-235 and work with the R/C industry to devise an alternate proposal that will be satisfactory to all.

Please help me continue the safe enjoyment of my pastime as well as the livelihood of those involved in the manufacture and sale of R/C products by not allowing the FCC to carry out its proposal in PR Docket 92-235.

Sincerely, .

A handwritten signature in cursive script, appearing to read "Gary Thibodeau".

Gary Thibodeau  
RFD1 Box 430  
Mechanic Falls ME 04256  
AMA # 426427

ARTHUR J. AUBÉ  
RR 1 BOX 3370  
SKOWHEGAN, MAINE 04976

January 21, 1993

The Honorable George Mitchell  
U S Senate  
Washington, DC 20510

Dear Senator Mitchell:

Since the age of ten I have enjoyed an interest in model airplanes. In the past sixteen years this interest has expanded into the construction and flying of radio controlled model aircraft. Since retiring two years ago I can now expend more time in the enjoyment of this fascinating pastime. I personally own four radio transmitters and have twelve fully equipped R/C model aircraft. In addition, I have a workshop that includes all necessary machines, tools, and supplies needed to maintain the hobby. I would guess that I have invested well over \$7000.00 in my hobby-related items.

My purpose in writing is to express deep concern over the proposed ruling under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. The adoption of these new rules, particularly Part 88 would allow private land mobile dispatch operation to within 2.5KHz of the frequencies used by R/C model aircraft and R/C cars & boats. We have shared use of the 72 - 75MHz radio band with fixed commercial users, maintaining a 10KHz spacing between used frequencies. This 10KHz spacing has been adequate and has allowed band sharing without either use interfering with the other.

The proposed reduction in frequency spacing would eliminate the safe use of over half of the frequencies presently used by R/C model aircraft enthusiasts. Congestion of the remaining frequencies would decrease the margin of safety we have worked so hard to maintain.

I feel it is very unfair that the FCC seeks to expand the operation of land mobile radio users at the expense of the radio-control modelers. We all have a considerable investment in our models, radio equipment and support equipment, not to mention the sizeable industry that would be detrimentally affected by this proposed FCC action.

This hobby provides hours of enjoyment to hundreds of thousands of citizens like myself. The hobby also contributes to the advancement and development of the commercial aviation industry. Individuals like astronauts Borman and Armstrong and aircraft designer Burt Rutan (who flew around the world nonstop) started their interest in aviation through model airplanes.

Please help me continue the safe enjoyment of my chosen pastime by not allowing the FCC to carry out its proposal PR Docket 92-235 for the 72-75MHz band. Your help is urgently needed because the FCC has a deadline of February 26, 1993, after which it may become more difficult to avoid halting these proposals from going into effect.

Sincerely,

A handwritten signature in cursive script that reads "Arthur J. Aubé".

Arthur J. Aubé

30 Knox Avenue  
Bangor, ME 04401  
January 23, 1993

Senator George Mitchell  
US Senate  
Washington, DC 20510

Dear Senator Mitchell:

I am writing you as an individual and as president of a model aircraft club ... ie. Mid-Maine Giant Aircraft Modelers, Chapter 272, International Miniature Aircraft Association. I am retired and spend a great deal of my time constructing and operating radio controlled miniature aircraft. I am also active in two additional Maine model clubs whose members enjoy building and flying these model airplanes. I have thirteen (13) of these large models (some weigh over 30 pounds); twelve (12) remote control radio systems and a workshop full of tools and accessories necessary to build and operate my models.

I am very concerned about the proposed rule under FCC consideration (PR DOCKET 92-235), which, if adopted, will greatly reduce the safety and use of radio frequencies currently assigned for our radio controlled model use. These frequencies are in the 72-76 MHz band used primarily for private land mobile dispatch operations. However our frequencies in this band are far enough apart from the land mobile frequencies that we've been able to share their use without interfering with the other.

The Notice of Proposed Rule Making (NPRM) in PR DOCKET 92-235 replaces Part 90 of the rule with a new Part 88. Part 90 allows for the safe use of R/C aircraft and surface models by keeping 10 Khz spacing between fixed commercial users and frequencies used by we R/C modelers. The new Part 88 will allow mobile users on frequencies within 2.5 Khz of frequencies available to us, eliminating the safe use of at least 31 of the 50 channels on the 72 MHz band (R/C aircraft) and 10 of the 30 frequencies on the 75 MHz band (R/C cars & boats) now used by we hobbyists. IN FACT, more channels will likely be affected.

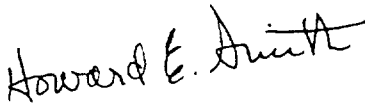
We go to great lengths to operate our models safely and to protect our property and bystanders. This involves the careful coordination and use of the radio control frequencies. If the number of these frequencies is diminished, as proposed by the FCC, the remaining frequencies will become congested and the margine of safety will be greatly reduced.

We don't think it is wise of the FCC to seek to expand the operation conditions of land mobile radio users at the expense of we radio-control modelers. We have a considerable investment in our models and radio equipment. The hobby provides many hours of enjoyment to hundreds of thousands of people like us and contributes to the advancement and development of the aviation industry.

Senator Mitchell, it seems to me that little people are continually being squeezed out of life's pleasures by the ambitious expansions of the powerful and influential.

Won't you please help us to continue the safe enjoyment of our pastime by not allowing the FCC to carry out it's proposal under PR DOCKET 92-235 for the 72-76MHz band? The FCC deadline of February 26, 1993 makes it imperative that action be taken now if we are to halt these proposed changes.

Sincerely,

A handwritten signature in cursive script that reads "Howard E. Smith". The signature is written in dark ink and is positioned above the typed name.

Howard E. Smith, Pres.  
Mid-Maine Giant Aircraft Modelers

Linda J. Griffin  
P. O. Box 214  
Jackman, ME 04945-0214

December 28, 1992

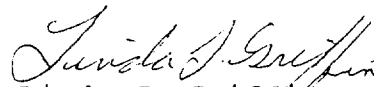
Dear Senator Mitchell:

Implementation of a radical document just released by the F.C.C., P R Docket 92-235 will seriously impair the forest industry in Maine, the safety of its workers and the general public. This proposal would ruin the radio systems everyone depends on by reducing range, lessening reliability, increase interference, while costing a lot of money to alter equipment that the F.C.C. may end up phasing out.

You know how large and slimly populated a place northern Maine is. Job site and mills are widely separated. Private radio systems that took a lot of private money to install are now used to coordinate work and more important to communicate during emergencies like fire, lost people, and accidents in the woods and on the roads. Almost always first word to police and ambulances of a highway accident or moose-car collision comes over a private radio. Our area is not even served by cellular phone and that commercial system is too expensive for constant use.

In short, demand for radio frequencies is not a universal problem. Rules intended for heavily populated areas will not work in Maine. The forest industry needs to retain its own coordinator and protection of its present frequencies.

Sincerely,

  
Linda J. Griffin

January 22, 1993

The Honorable George Mitchell, Senator  
United States Senate  
Washington, D.C.

Dear Senator Mitchell:

I have been retired for going on three years now and for better than 2½ of those years I've become heavily involved in the building and flying of radio controlled model aircraft. (I'm a frustrated full scale pilot!). I am the founder and an officer in our local flying club and derive countless hours of enjoy all year round flying and teaching others the art of the hobby. I presently own 5 radios, 5 model aircraft, 10 engines and various and sundry other support equipment necessary to the hobby.

I've recently become aware of a proposed rule change by the FCC that would have a devastating effect on my hobby if allowed to be implemented.

We, all R/C enthusiasts in the U.S., presently operate on 50 frequencies on the 72 and 75 megahertz band that have been assigned to us by the FCC. These frequencies are a safe 10 Khz apart and we operate with a comfortable margin of safety. However, should the FCC be allowed to implement their proposed change as outlined in PR Docket 92-235 it would mean there would only be a difference of 2.5 Khz between our frequencies thus making them unsafe to use.

There are several hundred thousand R/C'ers in the U.S. many of whom have a very sizeable investment in their hobby. My own investment runs some over \$ 3000.

When we operate our R/C aircraft, we go to great lengths to assure the safety of the operators and bystanders and protection of the property. If the number of useable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety to all involved greatly reduced.

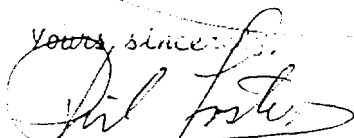
I think it is most unwise of the FCC to seek the expansion they do for the mobile phone users especially at the cost of radio-control modelers. The hobby provides countless hours of enjoyment to hundreds of thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my hobby by not allowing the FCC to carry out the proposals outlined in PR Docket 92-235 for the 72 and 75 KHz band. All R/C hobbyists need your help urgently because the FCC has a deadline of Feb. 26, 1993 after which it may become even more difficult to halt these proposals from going into effect.

Your help will be greatly appreciated.

Incidentally, I had the pleasure of sitting on a Federal jury in Portland a number of years ago when you prosecuted 3 men for the importation of Marijuana. I was very impressed with your courtroom demeanor and while it was a serious matter, I thoroughly enjoyed it.

Yours sincerely,

A handwritten signature in cursive script that reads "Phil Foster". The signature is written in dark ink and is positioned above the typed name.

Phil Foster  
R.R. #1 Box 1390-F  
Farmington, Maine 04938